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05/03/01  
J1052 U.S. PTO

GIRARD & EQUITZ LLP  
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Address to:  
Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

Attorney's Docket No. VTEK-1  
Jose Gabriel Menchero

J0621 U.S. PTO  
09/848741  
05/03/01

UTILITY PATENT APPLICATION TRANSMITTAL  
( under 37 CFR 1.53(b) )

SIR:

Transmitted herewith for filing is the patent application entitled:

**METHOD AND SYSTEM FOR MULTI-PERIOD PERFORMANCE ATTRIBUTION WITH METRIC-PRESERVING COEFFICIENTS**

**CERTIFICATION UNDER 37 CFR § 1.10**

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date May 3, 2001, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number EL 727721270 US addressed to: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Marsha A. Townsend

*Marsha A. Townsend*

(Name of person mailing paper)

(Signature)

Enclosed are:

1. ☒ Transmittal Form (two copies required)
2. The papers required for filing date under CFR § 1.53(b):
  - i. 21 Pages of specification (including claims and abstract);
  - ii. 3 Sheets of drawings.  
— formal                      ☒ informal
3. Declaration or oath
  - a. ☒ Newly executed (original or copy)
  - b. — Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Item 12 completed)
  - Incorporation By Reference (to be used if Item 3b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- i. — DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
4. — Microfiche Computer Program (Appendix, see 37 CFR 1.96)
5. — Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - i. — Computer Readable Copy
  - ii. — Paper Copy (identical to computer copy)
  - iii. — Statement verifying identity of above copies

# ACCOMPANYING APPLICATION PARTS

6. ☒ An assignment of the invention to Vestek Systems, Inc. is attached (including Form PTO-1595).  
— The prior application is assigned of record to ;  
Assignment recorded in PTO on \_\_, Reel \_\_, Frame(s) \_\_.  
— The prior application is assigned, and the assignment (copy attached) was submitted to PTO for recording on \_\_.  
i. — 37 CFR 3.73(b) Statement (when there is an assignee)
7. — Power of Attorney
8. — An Information Disclosure Statement (IDS) is enclosed, including a PTO-1449 and copies of references.
9. — Preliminary Amendment.
10. ☒ Return Receipt Postcard (MPEP 503 -- should be specifically itemized)
11. — Other

## 12. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information

- Continuation  
— Divisional  
☒ Continuation-In-Part (CIP)

of immediately prior application No. **09/698,693**, filed **October 27, 2000**, and a continuation-in-part of prior application No. **09/613,855**, filed **July 11, 2000**.

- i. RELATE BACK - 35 USC 120: If one of the above boxes are checked, please amend the specification by inserting before the first line the sentence: --This is a [x] continuation-in-part of Application no. 09/698,693, filed October 27, 2000, and a continuation-in-part of Application No. 09/613,855, filed July 11, 2000.--

[Note to form user: lines for item 12 are intentionally spaced to permit Examiner amendments.]

### ii. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION

(This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run).

- ☐ A petition, fee and response has been filed to extend the term in the pending prior application until \_\_.  
☐ A copy of the petition for extension of time in the prior application is attached.

### iii. CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION

(Complete this item and file conditional petition in prior application if previous item (ii) not applicable).

- ☐ A conditional petition for extension of time is being filed in the pending prior application.  
☐ A copy of the conditional petition for extension of time in the prior application is attached.

## 13. FOREIGN PRIORITY

- ☐ Priority of application no. \_\_ filed on \_\_ in \_\_ is claimed under 35 USC 119.

#### 14. FEE CALCULATION

- a. ☐ Amendment changing number of claims or deleting multiple dependencies is enclosed.
- b. ☐ Cancel in this application original Claims ☐ of the prior application before calculating the filing fee.

#### CLAIMS AS FILED

	Number Filed	Number Extra	Rate	Basic Fee (\$710)
Total Claims	14 - 20	* 0	x \$18.00	0
Independent Claims	6 - 3	* 3	x \$80.00	240.00
<input type="checkbox"/> Multiple dependent claim(s), if any			\$270.00	

\*If less than zero, enter "0".

Filing Fee Calculation .....\$950.00

50% Filing Fee Reduction (if applicable) .....\$

#### 15. Small Entity Status

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ is no longer claimed.

#### 16. Other Fees

- ☒ Recording Assignment [\$40.00] .....\$40.00
- ☐ Other fees
- Specify \_\_\_\_\_ \$

Total Fees Enclosed .....\$990.00

#### 17. Payment of Fees

- ☒ Checks in the amount of \$ 940.00 and \$40.00 are enclosed.
- ☐ Charge Account No. 50-1697 in the amount of \$\_\_.
- A duplicate of this transmittal is attached.**

#### 18. All correspondence regarding this application should be forwarded to the undersigned attorney:

Alfred A. Equitz  
GIRARD & EQUITZ LLP  
400 Montgomery Street, Suite 1110  
San Francisco, CA 94104  
Telephone: 415/433-2250  
Facsimile: 415/433-2255

#### 19. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or § 1.17 to Account No. 50-1697. **A duplicate of this transmittal is attached.**

GIRARD & EQUITZ LLP

May 3, 2001  
(Date)

By: Alfred A. Equitz  
Alfred A. Equitz  
Registration No. 30,922

Attorney Docket No. VTEK-120

Attorney(s) or Agent(s) of Record